

Honorable Julius Genachowski, Chairman
Commissioner Michael J. Copps
Commissioner Robert M. McDowell
Commissioner Mignon Clyburn
Commissioner Meredith Attwell Baker
Federal Communications Commission
445 Twelfth Street SW
Washington, DC 20554

Re: CG Docket Nos. 03-123 and 10-51

Dear Chairman Genachowski and Commissioners Copps, McDowell, Clyburn, and Baker,

I work for Sorenson Communications, the largest Video Relay provider. The FCC has issued a public notice about plans to change the rates at which VRS companies will be compensated for their service. By their own calculations * the rates will require the company for which I work to operate at a loss. We have been informed that if the FCC adopts this rate the company will head into bankruptcy and will close.

The FCC proposes a Tier method of reimbursement wherein the most effective provider of minutes will not even get compensated at cost. In other words, the longer and harder you work the less you get paid. Since Sorenson is the only company providing service at such a high number of calls Sorenson is the only company that would take a cut in pay. While other companies will be paid \$6.0318 per minute, Sorenson will be paid \$3.8963 per minute.

This is governmental logic at it's most absurd. They are treating a skilled service like items you buy in bulk. But this service is not something you can hold up to a wholesale manufacturing model - One bag of peanuts costs \$1.50 but Walmart buys in bulk so wholesale they cost \$.30. - The FCC is trying to compensate Sorenson in this manner. This is even worse than it looks because when the FCC calculates "cost" it refuses to take into account many of the real costs of doing business. i.e. the cost of actually managing the schedules of centers and interpreters to meet the projected call volume or even the cost of projecting call volume. If anything, a company who can keep quality of service high and interpreters injury free under more stressful demands should be paid at a higher rate. This approach would give other companies incentive to grow.

As interpreters, we know our work gets harder after many hours, not easier. Many of us have grave concerns about how the quality of work suffers because we are required to "work the minutes", to meet the FCC's demands of our time on the phones. - A demand that flies in the face of every

bit of research available on maintaining interpreting competence. And now they want to lower the rate which will force the VRS providers to require us to work even longer.

This rate proposal is equal to:

- Telling EMTs that after they have saved 5 lives they will get paid incrementally less for every life saved thereafter.
- Police officers will only get fully compensated for the first few emergencies of the day.
- Telling anyone at any job that the better they do their job and the longer they work the less they will get paid.

THE CONSEQUENCES:

This ill conceived "wholesale" model will cost our jobs and loss of service to our deaf and hearing consumers.

When Sorenson closes its doors the massive demand it fills will move to other companies. Good or bad, Sorenson is a huge company and with the increased demand from its closing, no other VRS provider will be able to meet the speed of answer required by the FCC for compensation which means that shortly all other providers will follow Sorenson into bankruptcy.

Without VRS there is no functional equivalent and the ADA legal battles will begin.

BUT THIS IS FAR MORE THAN "GIVE THE DEAF PEOPLE A TELEPHONE."

The economic consequences are far reaching.

LOSE OF JOBS

I don't know how many people Sorenson or the other providers employ but Sorenson has centers in almost every state. When skilled interpreters lose their hours at VRS they will be back competing in the limited freelance market, which means that it is likely that every ASL interpreter in the country will suffer significant loss of work. Newer interpreters will not get work and will leave the field. These companies also employ office staff, technical support, trainers, installers, management, and R&D teams whose works have brought significant advancement to many fields besides VRS.

All of these VRS providers employ a significant number of Deaf people.

Other companies who use VRS to allow their deaf employees to join their conference calls will have to bear the burden of hiring an interpreter instead.

Deaf employees whose jobs require them to make phone calls or have regular phone meetings may lose their jobs because they would no longer be able to meet the requirements of the work.

Deaf Business Owners would go out of business.

DEAF + VRS = The End of Welfare

How many Deaf people collect Social Security simply because they are deaf? For decades it has been assumed (and often true) that large numbers of Deaf persons cannot work because to get the job they needed to be able to use the phone. VRS is changing this. Because VRS allows deaf persons to communicate in their own language (as opposed to written English through TTY) jobs, opportunity, and the hearing world is opening up to them. With VRS, the Internet and smart-phones that allow Deaf persons to be in touch as easily as hearing people there is absolutely no reason that any young Deaf person today should end up as an adult on welfare solely because of deafness.

LOSE OF COMMERCE

The loss of VRS services would mean lose of revenue for every type of business you can imagine.

Everyday thousands of Deaf people use VRS to:

Call the plumber/electrician/contractor/pharmacy/tree service/florist/vet/phone company, etc., etc.,

Place an order

Rent an apartment

Get a mortgage

Look for a job

Interview for a job

Plan a vacation

Make a doctor's appointment

Talk to their child's teacher

Pay their bills

etc., etc., etc.,

VRS is an investment and the FCC is cutting off its nose to spite its face. The proposed 3 Tier rate change is short sighted and will be disastrous on many levels.

Sorenson is a business and as I see it, if this rate change takes place there would be no reason for them to hang on and deplete what capital they have while giving the competition the critical time needed to ramp up their capabilities. They will close their doors and soon after so will everyone else.

Then, perhaps they will restructure and break into smaller companies, which will be compensated at a Tier 2 rate of \$6.038/min.

But meanwhile, people will lose their jobs, businesses will lose revenue, ADA lawsuits will be filed and for what? Because someone couldn't take the time to find out what the real costs are of providing this service and come up with a fair and predictable rate.

I urge the FCC to establish a fair and predictable rate for VRS that will encourage VRS providers to invest in improving VRS while providing quality service and good working conditions.

The FCC should be increasing the availability and use of VRS, not cutting back. They should adopt a rate that encourages continuing improvements in VRS technology and continues to improve services levels. Recent developments in VRS are a good example of how the service can be improved, such as enhanced 911 services, 10-digit numbering, a larger and better-trained pool of interpreters and better videophones with an array of enhanced features. Monthly payments for broadband are a big expense for many deaf people, and instead of trying to cut back on VRS, they should be exploring ways to make VRS over broadband more affordable to deaf individuals.

Respectfully,

Teresa Chandler

*Based on the data received from providers, the Fund administrator indicates that VRS providers' weighted average actual per-minute costs were \$4.4603 in 2006, \$3.9604 in 2007, \$4.1180 in 2008, and \$4.1596 in 2009.

The new order proposes to lower the compensation for Tier 3 (minutes above 500,000) to \$3.8963, which clearly forces the company to do business at a loss.